

* * * For callouses apply night and morning until callous starts to peel. (In about three to five days.) In treatment of * * * Ringworm infection (Barber's Itch) apply Quadine freely to affected areas," were statements regarding its curative or therapeutic effects, and were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

The article was alleged to be misbranded also in violation of the Insecticide Act of 1910, as set forth in notice of judgment No. 1631 published under that act.

On April 18, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28991. Adulteration and misbranding of turpentine. U. S. v. Frank F. Lefkoff (Authorized Brands). Plea of guilty. Fine, \$25. (F. & D. No. 39491. Sample Nos. 13394-C, 15892-C, 16195-C.)

This product was represented to be pure gum spirits of turpentine but consisted of steamed-distilled wood turpentine.

On June 19, 1937, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Frank F. Lefkoff, trading under the name of Authorized Brands, at Atlanta, Ga., alleging shipment by said defendant on or about July 29 and October 13 and 30, 1936, from the State of Georgia into the States of Florida, North Carolina, and South Carolina, of quantities of alleged pure gum spirits of turpentine which was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Authorized Brand Pure Gum Spirits Turpentine * * * Packed and Guaranteed by Authorized Brands, Atlanta, Ga."

It was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, i. e., spirits of turpentine, but differed from the standard of strength, quality, and purity of spirits of turpentine as determined by the test laid down in said pharmacopoeia official at the time of investigation; that the said standard specified that spirits of turpentine should be "the volatile oil distilled from the oleoresin obtained from *Pinus palustris* Miller and other species of *Pinus* (Fam. Pinaceae) which yield exclusively turpene oils"; and that it was not such product but was steamed-distilled wood turpentine obtained in whole or in part by steam distillation of pine wood.

The article was alleged to be misbranded in that the statement "Pure Gum Spirits Turpentine," borne on the bottles, was false and misleading since it represented that the article was gum spirits of turpentine; whereas it was not gum spirits of turpentine but was steam-distilled wood turpentine. It was alleged to be misbranded further in that it was an imitation of and was offered for sale under the name of another article, gum spirits of turpentine.

On October 2, 1937, a plea of guilty having been entered by the defendant, the court imposed a fine of \$25.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28992. Misbranding of valium. U. S. v. 25 Bottles of Valium. Default decree of condemnation and destruction. (F. & D. No. 41904. Sample No. 13911-D.)

This product was misbranded because of false and fraudulent curative and therapeutic claims in its labeling. It was misbranded further because it was represented as complying with all laws, including all food and drug laws; whereas it did not comply with the Federal Food and Drugs Act.

On March 8, 1938, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 bottles of Valium at Portland, Maine, alleging that the article had been shipped in interstate commerce on or about November 20 and December 7, 1937, from Waltham, Mass., by Clematis Laboratories, and charging misbranding in violation of the Food and Drugs Act as amended. Analysis of a sample of the article showed that it consisted essentially of tablets containing calcium sulphide with a red sugar coating.

The article was alleged to be misbranded in that statements contained in a circular within the package, on the carton, and on the bottle label falsely and fraudulently represented its curative and therapeutic effectiveness in the treatment of varicose veins, varicose ulcers, and hemorrhoids (piles). It was alleged to be misbranded further in that the following statements appearing

in the said circular were false and misleading when applied to an article of the composition disclosed by analysis: "All Information and statements contained in this folder comply with every law that constitutes true advertising. Valium is a formula, the ingredients of which comply with pure food and drug laws as they exist today."

On March 21, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28993. Misbranding of Orosepto. U. S. v. 135 Bottles of Orosepto. Default decree of condemnation and destruction. (F. & D. No. 41999. Sample No. 8500-D.)

The labeling of this product contained false and fraudulent representations regarding its curative and therapeutic effectiveness.

On March 18, 1938, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 135 bottles of Orosepto at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about October 28, 1937, by Great Lakes Laboratories, from Cleveland, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Orosepto * * * Knox Chemical Co., New York."

Analysis showed that the article consisted essentially of water, alcohol, and small proportions of zinc chloride, saccharin, formaldehyde, menthol, oil of cinnamon, and red coloring matter.

The article was alleged to be misbranded in that the statement borne on the label, regarding its curative or therapeutic effect, "For Bleeding Gums, Pyorrhoea," was false and fraudulent.

On May 4, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28994. Adulteration and misbranding of Epsom salts. U. S. v. 6,800 Pounds of Epsom Salts. Default decree of condemnation. Product delivered to a charitable institution. (F. & D. No. 41993. Sample No. 2805-D.)

This product was sold under a name recognized in the United States Pharmacopoeia but differed from the standard established by that authority, since it contained not more than 97.48 percent of anhydrous magnesium sulphate; whereas the pharmacopoeia requires that Epsom salts contain not less than 99.5 percent of anhydrous magnesium sulphate.

On March 21, 1938, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 6,800 pounds of Epsom salts at Denver, Colo., consigned by Wyoming Chemicals, Inc., alleging that the article had been shipped in interstate commerce on or about March 7, 1938, from Medicine Bow, Wyo., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized by the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia; and its own standard of strength, quality, and purity was not stated on the container.

It was alleged to be misbranded in that it was offered for sale under the name of another article, namely, "Epsom Salts U. S. P.," whereas it was not Epsom salts U. S. P.

On May 3, 1938, no claimant having appeared, judgment of condemnation was entered, and the product was ordered delivered to a charitable institution to be used for purposes other than medicinal.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28995. Misbranding of McDonald's Crystalene. U. S. v. 52 Bottles of McDonald's Crystalene and 52 Sample Envelopes of McDonald's Crystalene Laxative Pills. Default decree of condemnation and destruction. (F. & D. No. 41455. Sample No. 48459-C.)

The labeling of these products contained false and fraudulent representations regarding their curative and therapeutic effectiveness.

On January 18, 1938, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court